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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

TERRIE KENT,
 	
    Plaintiff
 	
v.
 	
CONTRA COSTA COUNTY, DEPARTMENT OF HEALTH SERVICES, DEBORAH TYLER, WILLIAM WALKER, M.D., in his official capacity and DOES 1 through 25, inclusive,
 	
    Defendants.
	No. CV 08 0984 EDL
	
	JOINT CASE MANAGEMENT CONFERENCE STATEMENT
	
	Date: May 20, 2008
	Time: 10:00 a.m.
	Judge: La Porte

The parties to the above-entitled action jointly submit this Joint Case

Management Statement pursuant to Civil Local Rule 16-9.

JOINT CASE MANAGEMENT CONFERENCE STATEMENT
CV 08 0984 EDL

1

1. <u>Jurisdiction and Service:</u> Basis for jurisdiction is federal question, based on plaintiff's single cause of action under Title VII of the Federal Civil Rights Act. Plaintiff's six remaining causes of action under state law are joined under pendant jurisdiction. All named defendants have been served and have answered.

2. <u>Facts:</u> Plaintiff claims she was discriminated against in the workplace when a co-worker allegedly created a hostile work environment which the County allegedly failed to prevent.

3. <u>Legal issues:</u> Primary legal issues are those related to whether the facts alleged can support actionable claims under the theories presented, i.e. violation of Title VII, violation of the California Unruh Civil Rights Act, violation of California Fair Employment and Housing Act, breach of contract, breach of the implied covenant of good faith and fair dealing, violation of the California Family Medical Leave Act, and termination in violation of public policy.

4. <u>Motions:</u> Defendants anticipate bringing a motion for summary judgment.

5. <u>Amendment of Pleadings:</u> None anticipated.

6. <u>Evidence Preservation:</u> Evidence has been preserved by the parties.

7. <u>Disclosures:</u> The parties are in the process of completing Initial Disclosures, which will not be voluminous.

8. <u>Discovery:</u> The parties anticipate serving written discovery, including requests for production of documents and interrogatories. In addition, several depositions of percipient witnesses are anticipated.

9. <u>Class Actions:</u> Not applicable.

JOINT CASE MANAGEMENT CONFERENCE STATEMENT
CV 08 0984 EDL

2

10. Related Cases: None.

11. Relief: Plaintiff seeks money damages and attorney fees pursuant to law.

12. Settlement and ADR: The parties have stipulated to mediation through the court's ADR program.

13. Consent to Magistrate Judge For All Purposes: The parties will stipulate to consent to a magistrate judge for all purposes.

14. Other References: None appropriate at this time.

15. Narrowing of Issues: None appears appropriate at this time.

16. Expedited Schedule: None appears appropriate at this time

17. Scheduling: The parties request a trial date of June 1, 2009, with non-expert discovery cut-off of March 1, 2008, dispositive motion filing deadline of January 1, 2009, expert disclosure deadline of February 1, 2009 and expert discovery deadline of April 1, 2009..

18. Trial: Jury trial requested by plaintiff and defendants. Trial anticipated to consume six court days.

19. Disclosure of Non-party Interested Entities or Persons: None required.

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JOINT CASE MANAGEMENT CONFERENCE STATEMENT
CV 08 0984 EDL

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1   20. <u>Other:</u> Nothing anticipated at this time.

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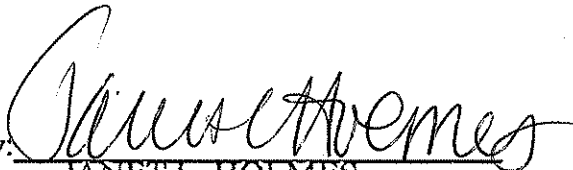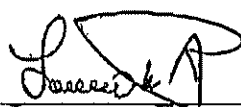5   DATED: _May 13_, 2008   SILVANO B. MARCHESI
                                  COUNTY COUNSEL

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8   By:

9   JANET L. HOLMES
                                  Deputy County Counsel

10   Attorneys for Defendants

11

12   DATED: _S-13_, 2008   FASANO LAW OFFICE

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15   By:

16   Lawrence Fasano
                                  Attorney for Plaintiff

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JOINT CASE MANAGEMENT CONFERENCE STATEMENT
CV 08 0984 EDL

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